

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Alexander J. Kolmykov-Zotov et al.

Confirmation No.: **6415**

Application No.: **10/644,899**

Group Art Unit: **2629**

Filing Date: **August 21, 2003**

Examiner: **Tom V. Sheng**

For: **FOCUS MANAGEMENT USING IN-AIR POINTS**

Electronically filed on December 10, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

APPLICATION FOR PATENT TERM ADJUSTMENT

Applicant hereby requests reconsideration of the patent term provided in the Determination of Patent Term Extension under 35 U.S.C. § 154(b) provided with the Notice of Allowance mailed September 10, 2008. Payment in the amount of \$200 accompanies this application.

The Determination of Patent Term Extension under 35 U.S.C. § 154(b) indicates that the Patent Term Extension is 229 days. Applicant respectfully submits that the correct patent term adjustment for this case is 410 days.

There has been no terminal disclaimer filed for this application.

Basis of Calculation for Correction

PTO Delay: 627 days (439 days + 188 days)

439 days

First Action under 35 U.S.C. § 132 due 14 months after filing – October 21, 2004
Non-Final Rejection mailed January 3, 2006

188 days

Reply due to Applicant's Response After Non-Final Action – June 9, 2006
Non-Final Rejection mailed December 14, 2006